

## REMARKS

Claims 1-25 and 41-48 are pending in this application. Claims 1, 4, 8 and 13 are amended herein. Claims 41-48 have been added. Claims 26-40 are canceled herein. As will be discussed below, claims 4 and 8 have been amended to be placed in independent form. Since these claims have not been substantively amended, a final rejection of these claims over anything other than Otsuki would be premature. That being said, Applicant believes that all of the presently pending claims are allowable and, therefore, respectfully requests that the case be passed to issuance.

Claims 26-40 have been canceled herein as being directed to an unelected invention. Applicant may file a divisional application at a later date.

Claims 1-25 have been rejected under 35 U.S.C. § 103 as being unpatenable over Otsuki, et al. (U.S. Patent Application No. 2004/0232467). Applicant respectfully traverses this rejection.

Claim 1, as amended, specifically recites that “each of the first conductive layer, the at least one thin conductive layer and the at least one second conductive layer are electrically coupled together and wherein the first conductive layer, the at least one thin conductive layer and the at least one second conductive layer are each patterned to have outer edges that are aligned relative to one another.” Applicant respectfully submits the references of record do not teach or suggest limitations of claim 1. For example, Otsuki’s polysilicon plug 61 is not patterned to have an outer edge that is aligned with the outer edges of conductive layers 62 and 63. It is therefore respectfully submitted that claim 1 is allowable over the references of record.

Claims 2-3 and 9-12 each depend from Claim 1 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for including additional limitations.

Claim 4 has been amended to be placed into independent form and is presented herein without substantive amendment. In particular, claim 4 requires a capacitor plate with the first conductive layer, at least one thin material and a second conductive layer “wherein the at least one thin conductive layer comprises a first barrier disposed over the first conductive layer and a conductive layer disposed over the first barrier.” It is respectfully submitted the reference of record does not teach or suggest the limitations of claim 4. For example, Otsuki never teaches or suggests a capacitor plate that includes four separate layers. Therefore it is respectfully submitted that claim 4, as originally filed, is allowable over the references of record.

Claims 5-7 each depend from claim 4 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for including additional limitations.

Claim 8, as originally filed, recites a capacitor plate that includes a first conductive layer, at least one thin conductive material, and a second conductive layer, wherein the first conductive layer and the second conductive layer both comprise a first material. The references of record do not teach or suggest a single plate that includes two layers of the same material separated by a thin conductive material layer. It is therefore respectfully submitted that claim 8 as originally filed is allowable over the references of record.

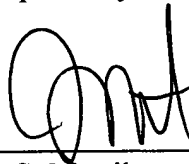
Claim 13, as amended, specifically recites a MIM capacitor that includes a first plate a dielectric and a second plate wherein one of the first plate or the second plate comprises a first conductive layer a thin conductive layer and a second conductive layer electrically coupled together wherein the first conductive layer the at least one thin conductive layer and the at least one second conductive layer are patterned to include outer edges that are aligned relative to one another.” It is respectfully submitted the references of record do not teach or suggest the limitations of claim 13.

Claim 14-25 each depend from claim 13 and add further limitations. It is respectfully submitted that these dependent claims are allowable by reason of depending from an allowable claim as well as for adding additional limitations.

Claims 41-48 have been added herein. No new matter has been added. It is respectfully submitted that each of these claims is allowable over the references of record. For example, claim 43 recites a MIM capacitor that includes a first conductive plate comprising a first layer of aluminum and a second layer of aluminum separated by a layer of TiN, TaN or WN. It is respectfully submitted the references of record do not teach or suggest the limitations of claim 43.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Ira S. Matsil, Applicant's attorney, at 972-732-1001 so that such issues may be resolved as expeditiously as possible. No fee is believed due in connection with this filing. However, should one be deemed due, the Commissioner is hereby authorized to charge Deposit Account No. 50-1065.

Respectfully submitted,



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September 16, 2005

Date

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